S.B. CIVIL WRIT PETITION NO. 4896/2004.
Sunita & Anr.
Vs.
The Commissioner,
Land Settlement Department, Jaipur & Anr.

DATE OF ORDER : 05.02.2007.

HON'BLE MR. GOVIND MATHUR, J.

Mr. R.K. Soni, for the petitioners
Mr. Shyam Ladrecha, AGA, for the respondent/s

This petition for writ by the petitioners is preferred giving challenge to termination of their services w.e.f. 30.6.2004 in compliance of the verbal order said to be passed by the respondent No.2. According to the petitioners, their termination from service amounts to retrenchment as defined under Section 2(oo) of the Industrial Disputes Act, 1947 and the same has been effected in violation of the provisions of Sections 25F, 25G and 25H of the Industrial Disputes Act, 1947.

It is not in dispute that the petitioners were working in the Office of Land Settlement Officer, Land Settlement Department, Jodhpur. The Office of the Land Settlement Officer being discharging sovergine functions is not an industry, therefore, the allegation of retrenchment without adhearing to the mandatory condition precedents to do so is absolutely misconceived.

Accordingly, the petition for writ is dismissed. However, it is made clear that if the petitioners want to challege their termination on other grounds, it is open for them to do so by way of availing appropriate remedy.

(GOVIND MATHUR)J.

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